

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

IAN POLLARD, on behalf of himself )  
and all others similarly situated, )  
  )  
Plaintiffs, )  
  )  
v.                                      )    Case No. 4:13-cv-00086-ODS  
  )  
  )  
REMINGTON ARMS COMPANY, LLC, et al. )  
  )  
Defendants. )  
  )  
\_\_\_\_\_  
)

**DEFENDANTS' MOTION TO DISMISS  
THE CLASS ACTION COMPLAINT**

COME NOW Defendants and move to dismiss Plaintiff's Class Action Complaint under Federal Rules of Civil Procedure 12(b)(6) and 9(b). For the reasons set forth in Defendants' Suggestions in Support of Defendants' Motion to Dismiss, Defendants respectfully request that the Court dismiss Plaintiff's Class Action Complaint because Plaintiff's Complaint fails to state a claim for which relief may be granted and fails to plead allegations of fraud with sufficient particularity.

Respectfully Submitted,

By: s/John Sherk  
John Sherk, MO Bar # 35963  
**Shook, Hardy & Bacon L.L.P.**  
2555 Grand Blvd.  
Kansas City, MO 64108  
Telephone: 816.474.6550  
Facsimile: 816.421.5547  
jsherk@shb.com

ATTORNEY FOR DEFENDANTS

**CERTIFICATE OF NOTICE OF INCLUSION**  
**IN THE EARLY ASSESSMENT PROGRAM PROVIDED TO CLIENT**

I hereby certify that on February 27, 2013, a copy of the Notice of Inclusion in the Early Assessment Program in the Western District of Missouri (Doc. 4) was electronically delivered via e-mail to Remington Arms Co, LLC; E.I. du Pont de Nemours & Company; and Sporting Goods Properties, Inc. through its parent company E.I. du Pont de Nemours & Company.

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:  
Timothy W. Monsees, Andrew S. LeRoy, Charles E. Schaffer, Christopher Ellis, Eric D. Holland, John R. Climaco, John A. Peca, Jon D. Robinson, Jordan L. Chaikin, Richard J. Arsenault, Richard Ramler, and R. Seth Crompton, Attorneys for Plaintiff.

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